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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,293	03/18/2004	Meeko Kuwahara	16869P-108400US	7807
20350	7590	04/10/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			ELLIS, KEVIN L	
TWO EMBARCADERO CENTER			ART UNIT	
EIGHTH FLOOR			PAPER NUMBER	
SAN FRANCISCO, CA 94111-3834			2188	

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/804,293	Applicant(s) KUWAHARA, MEEKO	
	Examiner Kevin L. Ellis	Art Unit 2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/18/04</u> . | 6) <input type="checkbox"/> Other: ____. |

Detailed Action

1. Claims 1-13 are presented for examination.
2. Information disclosed and listed on PTO 1449 has been considered.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections – 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Parry, U.S. Patent App Pub US2003/0097426.

A) As to claims 1-3, 6, 7, 10, and 11, Parry discloses the invention as claimed. Parry teaches an information processing apparatus (Fig 2 Ref 204 - a browser). The browser would contain a controller (i.e. processor) and memory for storing data. There is also an interface (Fig 2 Ref 206 & 210) for communicating with another apparatus (Fig 2 Ref

200). The information processing apparatus requesting second data for executing functions not mounted in the information processing apparatus from the another apparatus (see ¶ 23). This is similar to the example given in the present application with regard to figures 5A and 5B. The browser 204 requests additional data and program data from the server 202 to perform the function requested.

B) As to claims 4, 5, 8, 9, 12, and 13, the information requested can be program data or graphics data (see ¶ 23).

6. Claims 1-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by McCormick et al., U.S. Patent 6,741,833.

A) As to claims 1-3, 6, 7, 10, and 11, McCormick et al. discloses the invention as claimed. Similarly as rejected above, McCormick et al. teaches a web browser system as Parry does where the browser requests additional information from the server in order to function (see Col 4 Line 27 to Col 5 Line 54).

B) As to claims 4, 5, 8, 9, 12, and 13, the information requested can be program data or graphics data (see Col 4 Line 27 to Col 5 Line 54).

7. Claims 1-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Narin et al., U.S. Patent 6,691,176.

A) As to claims 1-3, 6, 7, 10, and 11, Narin et al. discloses the invention as claimed. Similarly as rejected above, Narin et al. teaches a web browser system as Parry does

where the browser requests additional information from the server in order to function (see Col 1 Line 13 to Col 3 Line 35).

B) As to claims 4, 5, 8, 9, 12, and 13, the information requested can be program data or graphics data (see Col 1 Lines 3-43).

8. Claims 1-13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Story et al., U.S. Patent 6,081,807.

A) As to claims 1-3, 6, 7, 10, and 11, Story et al. discloses the invention as claimed. Story et al. teaches an information processing apparatus (Fig 1 Ref 102 - network client). The network client would contain a controller (Col 4 Lines 16-20) and memory for storing data (Col 4 Lines 16-20). There is also an interface (Fig 1 Ref 110) for communicating with another apparatus (Fig 1 Ref 106 - network server). The information processing apparatus requesting second data for executing functions not mounted in the information processing apparatus from the another apparatus (see Col 1 Lines 11-26 and Col 4 Lines 21-38).

B) As to claims 4, 5, 8, 9, 12, and 13, the information requested is merely data stored in files on the network server (see Col 1 Lines 11-26 and Col 4 Lines 21-38) and can thus be program data or graphics data. For example, if the network client wanted to execute a program stored on the network server, that would be the file accessed. If the network client opened a graphics file that was stored on the network server for viewing, it would be graphics data that is accessed.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin L. Ellis whose telephone number is 571-272-4205. The examiner can normally be reached on weekdays from 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 571-272-4210. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kevin L. Ellis
Primary Examiner
April 6, 2006

Kevin L. Ellis